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UNIVERSITY OF RICHMOND LAW SCHOOL

TORTS I Examination

Professor Muse

November 6, 1945

1. On Halloween night a group of boys pick up a plank lying on A's land and place it on B's land. The next morning A discovers it on B's land and retrieves it. As he is leaving, he sees B and accuses him of having taken it. B resentfully knocks A down. Thereupon A draws a knife and pursues B who runs across C's land. A comes within striking distance of B who thereupon picks up C's cane and breaks it over A's head. Discuss the liabilities of all the parties.

2. A throws a rotten egg at B's car. The egg strikes the fender and breaks, doing no more damage than the trouble of wiping it off. This was not ~~discussed~~ **DISCOVERED** by anyone until the car was put in a garage.

Assume:

- (a) B was in the car and A intended to hit him.
- (b) A erroneously thought that B was in the car and intended to hit him.
- (c) A threw the egg to show his contempt for B, knowing the car to be unoccupied.

Is A liable to B on any of the assumptions ?

3. In a crowded tavern A, a patron, tries to get familiar with a young woman sitting at a table near B, another patron. B pushes A away and slaps his face. A is about to retaliate when the tavern bouncer, without prior request, shoves them both out. B gets a wrench from his car, enters the tavern and seeks out the bouncer. The latter shoots at B, misses him, and strikes A, who is just entering the door to recover his hat and coat. What are A's rights against B and the bouncer ?

4. Lightning sets fire to A's house which is located in a congested urban district. The fire got beyond control and was about to be communicated to B's house which, if it did, would endanger ten or fifteen blocks of frame houses. C, who lived in an adjoining town, happened by A's and B's houses, saw the fire, decided to dynamite B's unoccupied house, and did so, thereby saving the other homes.

- (a) State the common law governing this situation.
- (b) If you think the common law arrives at the correct solution, give your reason.
- (c) If you think the common law to be inadequate in this particular, what improvements would you suggest ? Give your reasons for each change you suggest.

END